

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

RAYMOND BALESTRA, individually and  
on behalf of all others similarly situated

Plaintiff,

v.

ATBCOIN LLC, EDWARD NG, HERBERT  
W. HOOVER,

Defendants.

Index No. 1:17-cv-10001-VSB

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that, upon the accompanying Declaration of Edward Ng, dated April 13, 2018, the Declaration of Herbert W. Hoover, dated April 12, 2018, the Declaration of Brian D. Caplan, dated April 13, 2018, the accompanying Memorandum of Law and the prior proceedings herein, defendants ATBCOIN LLC, Edward Ng and Herbert W. Hoover, by their attorneys Reitler Kailas & Rosenblatt LLC, hereby move this Court at the Courthouse located at 40 Foley Square, New York, New York, on May 7, 2018, at 9:30 a.m., or as soon thereafter as counsel can be heard for an Order, pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6), dismissing the Complaint in its entirety for failure to state a

claim as to all defendants and for lack of personal jurisdiction over defendants Ng and Hoover, and such further relief as to this Court seems just and proper.

Dated: April 13, 2018

REITLER KAILAS & ROSENBLATT LLC

By: s/ Brian D. Caplan  
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